

The court incorporates by reference in this paragraph and adopts as the findings and orders of this court the document set forth below. This document was signed electronically on February 5, 2018, which may be different from its entry on the record.

IT IS SO ORDERED.

Dated: February 5, 2018




ARTHUR I. HARRIS
UNITED STATES BANKRUPTCY JUDGE

**UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

In re:	Robert J. Mihalek) Case No. 16-16462
	XXX-XX-1900) Chapter 13 Proceedings
	Tina L. Mihalek) Judge Arthur I. Harris
	XXX-XX-4342)
	Debtors)

**ORDER DISMISSING CASE AND RELEASING
INCOME OF DEBTORS FROM THE JURISDICTION OF THE COURT**

This case came on for consideration by the Court upon the Trustee's Motion to Dismiss Case for Failure to Fund that was filed on December 6, 2017. Any objections or responses filed have been withdrawn or overruled. The case is hereby dismissed due to the material default in the funding of the Plan by the Debtors.

The Debtors and/or the Debtors' employer, as well as the future income of the Debtors, are hereby released from the supervision and control of the Court, as well as any order of the Court requiring payments to the Trustee in this case.

The Trustee is authorized to pay to the Bankruptcy Court an amount equal to the amount of any unpaid filing fees. Any payment made to the Bankruptcy Court for unpaid filing fees shall be paid from funds received either from or on behalf of the Debtors prior to the dismissal of this case and, in order to comply with Bankruptcy Rule 1006(b)(3) and any relevant statute(s), said distribution may be made before (and possibly to the detriment of) any other authorized but unpaid distributions and/or refunds. The Trustee is also authorized to retain the administrative fee on funds received.

Submitted by:

/s/ Lauren A. Helbling

LAUREN A. HELBLING (#0038934)

Chapter 13 Trustee

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SERVICE LIST

Lauren A. Helbling, Chapter 13 Trustee

(served via ECF)

Office of the U.S. Trustee

(served via ECF)

All creditors and parties of interest

(served via ECF)

Y Eric Holtz, Attorney for Debtors

(served via ECF)

Tina L. & Robert J. Mihalek, Debtors

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Lamrite West, Inc., Employer

Attn: Payroll, 13000 Darice Parkway

Park 82

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LAH/bas

12/06/17

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